

REMARKS

Applicants file concurrently herewith a Request for Continued Examination (RCE) in response to the final Office Action mailed July 9, 2008 (hereinafter, "Office Action"). In the Office Action, the Examiner rejected claims 1-30 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,970,478 to Walker et al. (hereinafter, "Walker").

By this response, Applicants hereby amend claims 1-9, 11-14, 17, 19, 21, 22, 25, and 28. No new matter has been added. Accordingly, claims 1-30 are currently pending.

Based on the foregoing amendments and following remarks, Applicants respectfully traverse the rejection of claims 1-30 under 35 U.S.C. § 102(b), and request the timely allowance of the pending claims.

I. Rejection of Claims 1-30 Under 35 U.S.C. § 102(b)

Applicants respectfully traverse the rejection of claims 1-30 under 35 U.S.C. § 102(b) as being anticipated by Walker. A proper anticipation rejection requires that "each and every element set forth in the claim be found, either expressly or inherently described, in a single prior art reference." M.P.E.P. § 2131. In addition, "[t]he elements must be arranged as required by the claim . . ." Id. (emphasis added). Applicants respectfully submit that Walker fails to disclose all of the subject matter recited in amended independent claims 1, 6, 11, 22, 25, and 28, and also fails to disclose the elements as arranged by the independent claims.

Walker does not disclose Applicants' claim 1 recitations, including, *inter alia*, "determining if the applicant accepts the at least one first financial account product," and "if the applicant accepts the at least one first financial account product, providing to the

applicant a plurality of selectable options for further defining predetermined features of the at least one first recommended financial account product,” as recited in Applicants’ amended independent claim 1.

Instead, Walker discloses that “the central controller 20 then calculates the price of modifying the account in step S13 based on the credit card parameters received from the agent terminal along with the customer parameters from the customer database 27b.” Id. at col. 6, ll. 48-52. “Once the price information has been calculated, it is transmitted to the customer in step S14.” Id. at col. 8, ll. 6-7. “After the price information is transmitted to the customer in step S14, the customer decides whether the price is acceptable in step S15.” Id. at col. 8, ll. 22-24. “If [the customer] accepts the price for modifying his account, the system can process the sale by charging the customer’s credit card, in step S16.” Id. at col. 8, ll. 24-26. “If the customer decides that the account price is not acceptable during step S15, the customer is given a chance to revise the initially selected credit card parameters in step S18.” Id. at col. 8, ll. 40-43 (emphasis added). In other words, when the customer in Walker declines the offered price, the customer is then given the opportunity to change the initially selected credit card parameters. Walker’s disclosure of actions taken if a customer declines does not teach providing selectable options “if the applicant accepts,” as recited in claim 1, nor the related claim elements.

Thus, Walker fails to disclose at least recitations of amended independent claim 1, and fails to disclose them in the arrangement recited in the claim. Accordingly, for at least the above-outlined reason, Walker fails to disclose all of the subject matter recited in Applicants’ amended independent claim 1. Therefore, the rejection of amended

independent claim 1 under 35 U.S.C. § 102(b) is legally deficient, should be withdrawn, and the claim allowed.

Amended independent claims 6, 11, 22, 25, and 28, although of different scope, recite elements similar to those of amended independent claim 1, and are therefore allowable for at least the same reasons. Therefore, the rejection of amended independent claims 6, 11, 22, 25, and 28 under 35 U.S.C. § 102(b) is legally deficient, should be withdrawn, and the claims allowed.

Claims 2-5 depend from amended independent claim 1. Claims 7-10 depend from amended independent claim 6. Claims 12-21 depend from amended independent claim 11. Claims 23-24 depend from amended independent claim 22. Claims 26-27 depend from amended independent claim 25. Claims 29-30 depend from amended independent claim 28. As discussed above, Walker does not support a rejection of amended independent claims 6, 11, 22, 25, and 28. Therefore, dependent claims 2-5, 7-10, 12-21, 23-24, 26-27, and 29-30 are allowable for at least the same reasons as set forth above in connection with their corresponding independent claims, among other reasons.

II. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Wenye Tan *55.662

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By: *Wenye Tan* for
Joseph E. Palys
Reg. No. 46,508